

REMARKS

Restriction was required from among the following groups of claims under 35 U.S.C. 121 and 372:

Group I: Claims 1-4, 12 and 13, drawn to a method for manufacturing a biosensor.

Group II: Claims 5-9 and 14-17, drawn to a biosensor.

Group III: Claims 10 and 11, drawn to a biosensor.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicant elects Group III, encompassing Claims 10 and 11 directed to a biosensor.

Request for Rejoinder

Upon allowance of Group III claims, Applicant respectfully requests rejoinder of withdrawn Claim 13, which is amended to be ultimately dependent on the elected Group III claims and includes all of the limitations of Claim 10.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Application No.: 10/524,380
Filing Date: February 11, 2005

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR LLP

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